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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,417	10/30/2003	Joseph G. Laura	IDF 2563 (4000-16000)	7214
28003	7590	07/26/2007		
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OVERLAND PARK, KS 66251-2100			ART UNIT	PAPER NUMBER
			2194	
			MAIL DATE	DELIVERY MODE
			07/26/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/697,417

Applicant(s)

LAURA, JOSEPH G.

Examiner

Abdou Karim Seye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 and 47-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 and 47-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/09/2004, 05/31/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Response to Amendment***

1. The amendment filed on May 07, 2007 has been received and entered. The amendment amended Claims 1 and 20 and cancelled claims 33-46 and 54. The currently pending claims considered below are Claims 1-32 and 47-53. The examiner interprets the applicant's invention as covering only the versions of Cobol program existing up to applicant's filing date but not including future versions of Cobol program.

**Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-32 and 47-53 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Miller et al (US 5754855) in view of Obin et al (US 6526569).

Claims 1 and 20: Miller teaches a method and system for enabling events in a COBOL program, the method comprising:  
maintaining, in a COBOL program, a index including a process identifier and an

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event associated with a child process (abstract; col. 5, lines 14-24; FIG. 4A/B, col. 7, lines 55-67 and col. 8, lines 15-29; col. 11, lines 55-57; registered Cobol procedure/routine and events associated with sub-events); placing the child process in a wait state ( col. 6, lines 49-62; signal handler); signaling, by the COBOL program, the child process to run using the process identifier and the event associated with the child process ( col. 6, lines 49-62). Miller merely teaches a child a child process. However, in the same field of endeavor, Obin discloses an object class definition with a set of procedures at least one procedure is called by the main procedure when executed in a Cobol environment (Abstract, col. 3, lines 3-25 and lines 34-67). It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Miller's invention with Obin's invention in order to identify/register a process of a Cobol main program and an event associated with a procedure/method executed as a child process within a Cobol object oriented environment. One would have been motivated to provide a method, system and product as disclosed by Obin's reference in order to provide an improved object oriented compiler for procedural program (Obin; col. 2, lines 39-42).

Claim 2: Miller teaches,

wherein the COBOL program signals a technical layer using the process identifier and event associated with the child process and further wherein the technical layer signals the child process to run (FIG. 1 : 124; FIG. 6; col. 11, lines 30-67; technical layer).

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Claim 3: Miller teaches,

wherein the index maintained by the COBOL program maintains a plurality of identifiers and a plurality of events associated with a plurality of child processes (col. 11, lines 52-58).

Claim 4: Miller teaches,

wherein the child process is placed in the wait state by a technical layer (Fig. 6: 608; Synchronous condition event manager).

Claim 5 : Miller teaches,

wherein the technical layer is further defined as a COBOL technical layer in communication with the COBOL program ( col. 2, lines 49-59). The claimed elements in (col. 2, lines 49-59) of Miller's reference meet the claimed limitation of the claim.

As per claims 6-9, they are rejected for the same reasons as claim 5 above.

Claim 10, Miller teaches,

wherein the technical layer includes a coordination module operable (FIG. 6: 602). This claimed element of Miller's reference meet the claimed limitation of the claim.

Claim 11, Miller teaches,

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wherein the child process registers the process identifier of the child process with a technical layer (FIG. 6 : 604). This claimed element of Miller's reference meet the claimed limitation of the claim.

As per claim 12 , it is rejected for the same reasons as claim 11 above.

As per claims 13-16 and 19, they are rejected for the same reasons as the claims above.

As per claims 21-30, they are rejected for the same reasons as the claims above.

As per claims 47-52, they are rejected for the same reason as the claims above.

4. Claims 1-32 and 47-53 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Miller et al (US 5754855) in view of Obin et al (US 6526569) and further in view of **Keith Haviland, Dina gray and Ben salama**, Pearson education Limited, 1998 "Unix system programming, second edition".

Claims 17 and 18, Miller teaches thread's routines to intelligibly communicate among themselves event-related information and the interaction of software routine in application program 126 in (FIG. 1; FIG. 2; col. 7, lines 45-54, col. 4, lines 18-27) but

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his combination with Obin does not explicitly disclose using pipes and sockets for the sharing of resources and information among software routines. However in the same field of study, inter-process communication Keith discloses inter-process communication using Pipes and Sockets (Chapter 7, pages 151-158 and Chapter 10, pages 253-257). It would be obvious to one having ordinary skill in the art at the time the invention was made to modify Miller's invention with Keith's invention to include piping and socket for the efficient sharing of information and resources in a network environment. One would have been motivated to provide socket and pipe communication for efficient sharing of data among multiple processes.

As per claim 29-32, they are rejected for the same reasons as the claims above.

As per claim 53, it is rejected for the same reasons as the claims above.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Sneed, H., "Migration of Procedurally Oriented COBOL Programs in an Object Oriented Architecture", Software Maintenance, 1992 IEEE Conference, pp. 105-116, Nov. 1992.\*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571)

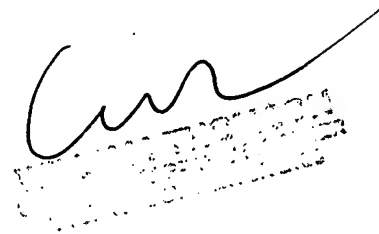
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270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, William Thomson at (571) 272-3718. The fax phone number for formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

AKS  
July 10, 2007

A handwritten signature in black ink is written over a rectangular stamp. The signature is cursive and appears to be "C. M. Thomson". The stamp is a rectangular box with some text inside, which is mostly illegible due to the signature and the quality of the scan. It appears to be a date stamp or a processing stamp.